

Union Calendar No. 111

105TH CONGRESS
1ST SESSION

H. R. 765

[Report No. 105–179]

To ensure maintenance of a herd of wild horses in Cape Lookout National Seashore.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 1997

Mr. JONES introduced the following bill; which was referred to the Committee on Resources

JULY 14, 1997

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To ensure maintenance of a herd of wild horses in Cape Lookout National Seashore.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Shackleford Banks
5 Wild Horses Protection Act”.

1 **SEC. 2. MAINTENANCE OF WILD HORSES IN CAPE LOOKOUT**
2 **NATIONAL SEASHORE.**

3 Section 5 of the Act entitled “An Act to provide for
4 the establishment of the Cape Lookout National Seashore
5 in the State of North Carolina, and for other purposes”,
6 approved March 10, 1966 (16 U.S.C. 459g–4), is amended
7 by inserting “(a)” after “SEC. 5.”, and by adding at the
8 end the following new subsection:

9 “(b)(1) The Secretary, in accordance with this sub-
10 section, shall allow a herd of free roaming horses in the
11 seashore.

12 “(2) Within 180 days after enactment of this sub-
13 section, the Secretary shall enter into an agreement with
14 the Foundation for Shackleford Horses (a nonprofit cor-
15 poration established under the laws of the State of North
16 Carolina) to provide for management of free roaming
17 horses in the seashore. The agreement shall—

18 “(A) provide for cost-effective management of
19 the horses; and

20 “(B) allow the Foundation to adopt any of
21 those horses that the Secretary removes from the
22 seashore.

23 “(3)(A) The Secretary shall accommodate the historic
24 population level of the free roaming horse herd in the sea-
25 shore, which shall be considered to be not less than 100
26 horses and not more than 110 horses.

1 “(B) The Secretary may not remove, or assist in or
2 permit the removal of, any free roaming horses from Fed-
3 eral lands within the boundaries of the seashore unless—

4 “(i) the number of free roaming horses in the
5 seashore exceeds 110;

6 “(ii) there is an emergency or a need to protect
7 public health and safety, as defined in the agreement
8 under paragraph (2); or

9 “(iii) there is concern for the persistence and
10 viability of the horse population that is cited in the
11 most recent findings of annual monitoring of the
12 horses under paragraph (4).

13 “(4) The Secretary shall annually monitor, assess,
14 and make available to the public findings regarding the
15 population structure and health of the free roaming horses
16 in the national seashore.

17 “(5) Nothing in this subsection shall be construed as
18 creating liability for the United States for any damages
19 caused by the free roaming horses to property located in-
20 side or outside the boundaries of the seashore.”.

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